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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

5 PETER PAUL HANNAH,

6 Plaintiff,

7 v.

8 HANOVER MARRIOTT,

9 Defendant.

CASE NO. C10-5926BHS

ORDER DENYING
PLAINTIFF'S MOTION
FOR RECONSIDERATION

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12 This matter comes before the Court on Plaintiff's ("Hannah") motion for
13 reconsideration (Dkt. 7) of the Court's order dismissing Hannah's case. *See* Dkt. 13. The
14 Court has considered the pleadings filed in support of the motion and the remainder of the
15 file and hereby denies the motion for the reasons stated herein.

16 **I. FACTUAL AND PROCEDURAL BACKGROUND**

17 On February 14, 2011, the Court dismissed Hannah's case for failure to pay his
18 filing fee. Dkt. 6. On February 22, 2011, Hannah filed a motion for reconsideration of the
19 Court's dismissal of his case. Dkt. 7. Following dismissal, Hannah filed his case again,
20 this time in the Honorable Judge Bryan's court (No. C11-5123RJB). In that case, Judge
21 Bryan dismissed Hannah's case as frivolous (C11-5123RJB, Dkt. 3). The facts are
22 contained in that order and are adopted herein, by reference.

23
24 In the instant pleading, Plaintiff indicates that he will pay the filing fee, moves to
25 amend his complaint, and asks for the "opportunity to be heard in court forum." Dkt. 7.
26 To the extent that Plaintiff challenges the findings of the prior order, this pleading should
27 be construed as a motion for reconsideration.
28

II. DISCUSSION

Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.

Local Rule CR 7(h)(1).

Hannah's motion for reconsideration as to this Court's prior dismissal is premised on his belief that paying the filing fee will reinstate his case. However, Judge Bryan ruled that Hannah's case is frivolous (i.e., without merit). The Court adopts Judge Bryan's reasoning in denying Hannah's motion for reconsideration herein:

Plaintiff's motion should be denied. Plaintiff has failed to show "a manifest error in the prior ruling." Plaintiff has not pointed to "new facts or legal authority which could not have been brought to the Court's attention earlier with diligence." Plaintiff's Complaint was found to be frivolous and have no basis in law or fact. Plaintiff failed to state a claim upon which relief could be granted. He makes no showing that his amended complaint would be any different. . . . Plaintiff's motion should be denied.

C11-5123, Dkt. 6 (citations omitted).

Additional pleadings filed in this case, except a notice of appeal, will be docketed by the Clerk, but no further action will be taken.

III. ORDER

Therefore, it is hereby **ORDERED** that Hannah's motion for reconsideration (Dkt. 7) is **DENIED**. The Clerk is directed to docket any additional pleadings filed in this case but no further action will be taken on them except for a notice of appeal.

DATED this 7th day of March, 2011.



BENJAMIN H. SETTLE
United States District Judge